



PAUL TITTL

STATE REPRESENTATIVE • 25TH ASSEMBLY DISTRICT

Assembly Committee on Corrections
Assembly Bill 16/Senate Bill 21
June 13, 2023

First of all, I would like to thank you, Chairman Schraa and committee members, for allowing me to testify before you concerning Assembly Bill 16 and Senate Bill 21, the senate version.

This bill raises the limit from \$75 to \$150 for certain types of property prisoners may possess in the correctional system.

This need for this legislative change came to me from a constituent in Manitowoc. She contacted me about her son who is serving time in prison for vehicular homicide. He had consumed too much alcohol at a party and killed someone while driving home.

During his time in prison, he decided he would do whatever he could to make the best of his 14 year sentence. He began attending a Bible study and enjoyed it. He asked the Lutheran pastor leading the study which Bible he should get, and the pastor recommend a \$115 study Bible.

The mother purchased the Bible and mailed it to him. However, prison officials would not give it to him, because the administrative code restricts prisoners from possessing personal property above certain dollar amounts. The limit is \$75 for all personal property other than electronic items, musical instruments, and medically prescribed items.

If the personal property limit had been keeping pace with inflation, the son would have been allowed to possess the Bible.

I brought the issue to Secretary Carr's attention in early 2019, so you may have heard the department has been working on it. There is currently an emergency rule in effect, and the department has also begun working on an administrative rule. I appreciate their efforts, but even so, we're going to make sure it happens.

Thank you for this opportunity to testify before you today. I would appreciate your support for this change and am happy to take any questions.

Capitol Office: Post Office Box 8953 • Madison, WI 53708-8953

(608) 266-0315 • Toll-Free: (888) 529-0025 • Fax: (608) 282-3625 • **Email:** Rep.Tittl@legis.wi.gov

February 18, 2019

Craig M. Seefeldt Doc #623136
Kettle Moraine Correctional Institution
P.O. Box 282
Plymouth WI 53073

ACLU of Wisconsin Foundation - Legal Dept.
207 East Buffalo Street #325
Milwaukee WI 53202-5774

Re: Mother's gift of a Lutheran Study Bible "NOT ALLOWED" and "DISPOSED OF" by KMCI Property/DOC.

Attention: Client Selection Committee

My name is Craig M. Seefeldt, an inmate at Kettle Moraine Correctional Institution, I submit for review a summary of events that describe my Bible denial matter with the sincere hope that you will accept my case and prevent this from ever happening again.

4/11/18 KMCI/Lutheran Bible Study Group: I asked Pastor Radzack which study Bible would best serve me as a member of the Wisconsin Evangelical Lutheran synod? Which Publisher sold it?

4/18/18 Lutheran Bible Study Group: (WELS) Pastor Radzack brought in his study Bible: it was leather-bound with maps, footnotes, and cross-references. He said that Northwestern Publishing House in Milwaukee sold it for about \$100.00. At that point, we waved KMCI Chaplain Tenpenny into the conversation and inquired what needed to be done to order a study Bible from them. She responded, "Yes, you can order from them, but quickly qualified that statement with, "you *just* need to make sure they send a receipt along with the order or KMCI Property will deny it! She did not mention a DOC \$75.00 maximum allowable value for a Bible.

5/7/18, 5/8/18 KMCI/Property Unit: I was excited as I walked over to the Property Unit; my Bible must have arrived! I was dumbfounded to learn that KMCI's interpretation of the DOC Property Rules would yield to a denial of my Mother's gift of the Lutheran Study Bible. The Property/Mailroom Sergeants said the Bible was denied because "it exceeded \$75.00" and I was "supposed to have prior approval to order over the price allowance".

5/7/18 - 8/8/18 KMCI/Property/Ice Examiner/Warden/DOC Secretary: I attempted to remedy my Bible denial matter with KMCI and the DOC to no avail. Deny! Deny! Deny!... By this time the matter had crossed over 10 desktops!

8/20/18 KMCI/Property/Unit 5 Mail-call: I received formal notice in the form of a "yellow inmate copy" that demonstrated that my mother's gift of the Lutheran study Bible was "NOT ALLOWED" and was subsequently "DISPOSED OF" (without my knowledge) by KMCI. KMCI alleges I "refused to send out or dispose" of the Bible, not true! I never refused anything- on 8/8/18 I merely stated, that because of the KMCI/DOC Bible denial, I didn't believe that I could *legally* send out the Bible *or* dispose of it" as I did not possess the bundle of property rights necessary and DOC 303.49 (2) forbid me to send out "anything which could be considered contraband". Sergeant Trippler replied, "Salinas will handle this". I never heard back from Complain Examiner Salinas or Sergeant Trippler!

9/5/18 KMCI/Mailroom: I sent by certified mail a notarized NOTICE OF INJURY AND CLAIM to the Wisconsin Attorney General.

I hope that after reading this you are as dumbfounded as I was to learn that this could even happen in today's America. And this is not an isolated incident, I know of two other study Bibles, on my unit alone, that were also denied by KMCI. These additional Bibles had receipts and were valued at less than the supposed \$75.00 limit. Evidentially, "stitched leather Bibles are strictly forbidden" and also those with "glued covers" according to Sergeant Trippler. PLEASE!!! Do not let this stand. Help me help others – so no one has to be denied a religious book again!

Sincerely,



Craig M. Seefeldt

CMS

Cc: State Representative Paul Tittl

Encl: KMCI property receipt

NOTICE OF INJURY AND CLAIM (reproduction)

Reproduction of Original sent to Atty General on 9/5/18



Wisconsin Department of Justice
DJ-LS-25 (Rev. 2/17)

*Note: I have complete documentation all steps I went thru

STATE OF WISCONSIN
NOTICE OF INJURY AND CLAIM
Pursuant to Wis. Stat. Section 893.82

CMS

This notice must be served upon the Attorney General by certified mail within 120 days of the event giving rise to the claim for such injury, damage or death at 114 East State Capitol, Madison, Wisconsin 53707-7857.

Claimant's Name Craig M. Seefeldt # 623136	
Address Kettle Moraine Correctional Institution P.O. Box 282 Plymouth WI 53073	Phone N/A
Time and Date of Occurrence 4:30 PM 8/20/18	Location Kettle Moraine Correctional Inst. W7071 Forest Drive Plymouth WI 53073
Statement of Circumstances Giving Rise to the Claim for Such Injury, Damage or Death and Names of Persons Involved, Including Name(s) of State Officer(s), Agent(s) or Employee(s). <p>On 8/20/18 I received formal notice from Kettle Moraine Correctional Inst. in the form of a yellow "Inmate Copy" of a property receipt #DOC-237, that stated my family's gift of a "Lutheran Study Bible" was "Not Allowed" and was "disposed" of. Specifically noted on the receipt: the "Lutheran Study Bible" exceeds price limit of \$75.00 book costs \$104.99 "Not Allowed" (hand stamped in red) KMCI-2018-12051-Deny.</p> <p>*Appealed + denied. Only send out or dispose of May Not Donate, 8/6/18 KS (Initials). Other highlighted notes, Inmate statement</p> <p>*Dispose of on 8/19/18 as I'm refused on 8/8/18 to send out or dispose of 8/6/18 KS (Initials)</p> <p>on 8/8/18 I was called to KMCI Property: officer Trippler stated, "that I could only send the bible out or throw it away." I responded, "that I didn't believe I could legally do either - as my bundle of ownership rights!!"</p> <p>(If additional space is needed, continue on backside of this notice form.)</p> <p style="text-align: right;">Cont'd over →</p>	

I certify and solemnly swear that the above-described injury, damage or death actually occurred, that I have read the above foregoing notice of injury and claim, and that the same is true to my own knowledge except as to those matters stated upon information and belief and as to those matters, I believe the same to be true.

Date: 9/4/18

Craig M. Seefeldt
Signature of Claimant

State of Wisconsin
County of Sheboygan

Subscribed and sworn to before me this 4th day of September, 2018, by Craig M. Seefeldt

Signed By a KMCI Notary employee

Notary Public, State of Wisconsin

My Commission: _____

mt'd from Front Page...

Were denied by the Dept of Corrections' decisions and Furthermore I was not allowed to send out "anything which could be considered contraband" (Contrary to DOC Policy 303.49 (E)).

Note: (Captain Hofman noted in B/6/18 letter to me "You have Exhausted your administrative remedies... THIS Contraband will be processed per Administrative code Doc 303 and DAI Policy 306.00.16")

Property Officer Trippler then stated "Salmas will handle this."

This was the last KMCZ Communication to me on this matter (Prior to receiving the B/20/18 Property Receipt).

Names of Involved

- CI
- States
- State of Wisconsin
- Property/Mailroom officer Trippler
- Property/Mailroom officer Larsen
- Chaplain L. Tenpenny
- Program Supervisor-Chapel T. Staehler
- Administrative Captain Hofmann
- Security Director Pollard
- Institution Complaint Examiner K. Salinas
- Warden Robert Humphreys
- Corrections Complaint examiner ~~David~~ ^{Brid Hompe}
- Office of the Secretary C. O'Donnell

Further Note

I was seen by Dr. Page at KMCZ (PSU) in July 2018 after I submitted a Psychological Service Request form on 6/23/18 asking for help in dealing with the anxiety/emotional distress caused by this matter. (Sleeplessness, anger, fury, loss of appetite & weight loss.)

iso-note KMCZ; has denied other study bibles to people on my unit for "Security Reasons" relative to cover style.

One officer stated "we will never have those Bibles at this Institution!"



June 13th, 2023

Representative Schraa, Chair
Representative Bodden, Vice-Chair
Members of the Assembly Committee on Corrections

Testimony on 2023 Assembly Bill 16

Relating to: the value of tangible personal property allowed in state correctional facilities.

Dear Chairman Schraa, Vice-Chair Bodden, and Committee Members:

Thank you for giving me the opportunity to speak on Assembly Bill 16. This legislation is an important tool that will help make some long overdue changes to an outdated limitation.

In their administrative code, the Department of Corrections places limits on the value of personal property a prisoner may possess. The current limit for personal property is set at \$75. There is also a separate limit for musical instruments and electronic items, which is set at \$350. These limits were set in 1994, and they have not been updated since.

While these limits are necessary for the security and protection of corrections staff, the lack of adjustment over the years in response to inflation and other economic pressures is now preventing inmates from having basic items that may be necessary for their moral and spiritual development, like a Bible.

Believe it or not, this actually happened. A few years ago, Assembly author state Representative Paul Tittel (R-Manitowoc) was contacted by a constituent whose son was incarcerated and attending a Bible study. The son asked his mother to purchase the recommended Bible, and she did so through the approved vendor. However, when the Bible arrived at the prison, staff refused to give it to the son because it exceeded the \$75 personal property limit. Furthermore, instead of returning it back to the constituent, prison staff disposed of the Bible afterwards. Had the limits been updated at any point over the preceding years, this unfortunate scenario may not have happened.

At the end of the day, Wisconsin's prison system should be about rehabilitation, reform, and justice. Sadly, this is just another example of government failing to keep up with the times, and, as a result, denying inmates the ability to change and grow into better citizens. I appreciate the new push to update these limits and look forward to reforming this outdated code.

Respectfully,

A handwritten signature in black ink, appearing to read "Jesse James".

Senator Jesse James
23rd Senate District
Sen.James@legis.wisconsin.gov



WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

Tuesday, June 13, 2023

Chairman Schraa
Assembly Committee on Corrections

Re: AB-16/SB-21 DOC Property Value - Informational Only

Chairman Schraa,

Thank you for the opportunity to provide written testimony for informational purposes on AB-16/SB-21 DOC Property Value.

While the Department of Corrections supports the general concept and spirit of AB-16/SB-21, DOC has recently updated Administrative Rule DOC 309 related to Inmate Personal Property. The recent revisions increase property value limits to align with the overall increased costs of living. Our agency, as is our preference, made these changes in Administrative Code rather than statute to allow greater flexibility for any future changes that may be needed.

The statement of scope for this rule, SS 017-23, was approved by the Governor on February 2nd, 2023, published in Register No. 806A1, on February 6th, 2023 and approved by Secretary Carr on February 23rd, 2023. The emergency rule for this statement of scope was approved by the Governor on April 13th, 2023 and became effective on May 3rd, 2023.

I hope this information will be considered during your discussions of AB-16/SB-21. I believe our goals are aligned, and the recent changes made to Administrative Rule 309 has helped us to achieve our mission of increasing personal property limits, while increasing safety in DOC facilities.

If you have further questions, please feel free to reach out to me directly at 608-240-5056 or Anna.Neal@wisconsin.gov.

Sincerely,

Anna Neal

Anna Neal
Legislative Advisor
Wisconsin Department of Corrections
3099 E. Washington Ave
Madison, WI 53704